

CITY COUNCIL MEETING

MAY 22, 2001

Date & Time	On the 22nd day of May, A.D., 2001, the City Council of the City of Fort Worth, Texas, met in regular session at 10:28 a.m. in the City Council Chamber, 1000 Throckmorton, with the following members and officers present:
Attendance	Mayor Kenneth Barr; Mayor Pro tempore Ralph McCloud; Council Members Jim Lane, Chuck Silcox, Becky Haskin, Frank Moss, Clyde Picht, Jeff Wentworth, and Wendy Davis; City Manager Gary Jackson; City Attorney David Yett; City Secretary Gloria Pearson. With more than a quorum present, the following business was transacted.
Invocation	The invocation was given by Reverend Douglas Brown, Great Commission Baptist Church.
Pledge	The Pledge of Allegiance was recited.
Minutes	On motion of Mayor Pro tempore McCloud, seconded by Council Member Wentworth, the minutes of the regular meeting of May 15, 2001 were approved unanimously.
Special Presentations	Council Member Haskin introduced Boy Scouts Chris and Joshua Andrews and their Assistant Scout Master Brad Andrews, from Trailblazer District Troop 205 in Park Glen. She presented each of them with a City pin and stated that the scouts were attending the meeting to work towards their Citizenship in the Community Badge.
Administration of Oaths of Office to City Council	The Oath of Office was administered by Ms. Pearson to Mayor Elect Kenneth Barr and Council Members Elect Jim Lane, Chuck Silcox, Becky Haskin, Frank Moss, Clyde Picht, Jeff Wentworth, Ralph McCloud, and Wendy Davis. Mayor Barr acknowledged his wife Karen in the audience and stated that it was unusual to have an election by which the entire City Council succeeded itself, and the result being a continuation of an experienced Council which should be beneficial to the City. He added that serving on the Council not only took commitment from the Council Members but also from all their family members.
Announcements	Council Member Picht commended the officers who were recognized at the Police Awards Banquet at Will Rogers Memorial Center and thanked them for the service they provide to the City.

Council Member Haskin announced that there would be a meeting tonight at 7:00 p.m. at the East Regional Library regarding the Trinity River West Fork East Sector and invited everyone in the community to attend.

**Continued/
Withdrawn By
Staff** City Manager Jackson requested that Mayor and Council Communication L-13050 be withdrawn from the agenda.

Consent Agenda On motion of Council Member Davis, seconded by Council Member Moss, the consent agenda was adopted unanimously.

**Res. # 2726
Financial
Assistance from
Texas Water
Development
Board** There was presented Resolution No. 2726 requesting financial assistance from the Texas Water Development Board in an amount not to exceed \$35,000,000.00 for improvements and extensions to the City’s Water and Sewer System. Council Member Wentworth made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.

**OCS-1213
Liability Bonds** There was presented Mayor and Council Communication No. OCS-1213 from the Office of the City Secretary recommending that the City Council authorize the acceptance of these liability bonds, as follows:

<u>Parkway Contractor</u>	<u>Insurance</u>
Coronado Builders	Merchants Mutual Bonding Co.
Duke Concrete	Western Surety Co.
Encompass Ind./ Mech. of Texas	Travelers Casualty and Surety Co. of America
Fast Finish Construction	Mid-Century Insurance Co.
Johnston Project Mgmt. Corp.	Commercial Indemnity Insurance Co.
Lennar Homes, Inc.	American Casualty Company of Reading, Pennsylvania
Perry Homes	Merchants Bonding Co.

It was the consensus of the City Council that the recommendation be adopted.

**OCS-1214
Claims** There was presented Mayor and Council Communication No. OCS-1214 from the Office of the City Secretary recommending that the City Council refer notices of claims regarding alleged damages and/or injuries to the Risk Management Department. It was the consensus of the City Council that the recommendation be adopted.

**OCS-1215
Res. No. 2727
Canceling and
Changing Dates
and Time of City
Council Meetings**

There was presented Mayor and Council Communication No. OCS-1215 from the Office of the City Secretary recommending that the City Council adopt Resolution No. 2727 canceling regular City Council meetings of July 3, 2001, September 4, 2001, and December 25, 2001; changing date of City Council meeting of August 7, 2001 to August 9, 2001; and changing the time of the City Council meeting of December 4, 2001 at 7:00 p.m. to 10:00 a.m. Council Member Wentworth made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.

**G-13236
Ord. # 14626
Recovery Action
Plan –
Amendment No.
2 to 1998 Park,
Recreation and
Open Space
Master Plan**

There was presented Mayor and Council Communication No. G-13236, dated May 15, 2001, from the City Manager recommending that the City Council:

1. Adopt the Recovery Action Plan Amendment No. 2 to the 1998 Park, Recreation and Open Space Master Plan; and
2. Authorize the City Manager to apply for and accept, if awarded, \$500,000.00 in Urban Park and Recreation Recovery funds from the U.S. Department of Interior for rehabilitation of central City neighborhood playgrounds; and
3. Adopt Appropriation Ordinance No. 14626 increasing the estimated receipts and appropriations in the Grants Fund in the amount of \$650,000.00 subject to the receipt of the grant from the Department of the Interior for the purpose of funding the renovation and rehabilitation of deteriorated parkland facilities; and
4. Approve the use of \$150,000.00 in matching Community Development Block Grant (CDBG) funds as the City's matching portion of this grant contingent upon receipt of funding from the CDBG Fiscal Year 2002 allocation.

Council Member Moss made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.

**G-13238
Res. 2728
Increase Amount
Paid to Ann
Clarke Snell and
Law Firm of
Bickerstaff,
Heath, Smiley,
Pollan, Kever and
McDonald**

There was presented Mayor and Council Communication No. G-13238 from the City Manager recommending that the City Council adopt Resolution No. 2728 increasing from \$262,000.00 to \$282,000.00 the maximum amount authorized to be paid to Bickerstaff, Heath, Smiley, Pollan, Kever and McDonald as legal counsel in the case of the City of Fort Worth v. Julius D. Zimlich; No. 98-1014. It was the consensus of the City Council that the recommendation be adopted.

**G-13239
Res. 2729
Increase Amount
Paid to George
Staples**

There was presented Mayor and Council Communication No. G-13239 from the City Manager recommending that the City Council adopt Resolution No. 2729 increasing from \$140,000.00 to \$160,000.00 the maximum amount authorized to be paid to George Staples as legal counsel to assist in the disposition of Civil Service appeals. It was the consensus of the City Council that the recommendation be adopted.

**G-13240
Ord. # 14627
Application for
Brownfields
Economic
Development
Initiative Grant**

There was presented Mayor and Council Communication No. G-13240 from the City Manager recommending that the City Council:

- 1. Authorize the Department of Environmental Management to apply for a Brownfields Economic Development grant in the amount of \$2,000,000.00 from the U.S. Department of Housing and Urban Development for the purpose of renovating the former Montgomery Ward complex; and**
- 2. Adopt Appropriation Ordinance No. 14627 increasing the estimated receipts and appropriations in the Grants Fund in the amount of \$2,000,000.00 upon receipt of the grant from the U.S. Department of Housing and Urban Development for the purpose of funding the renovation of the former Montgomery Ward Complex.**

It was the consensus of the City Council that the recommendation be adopted.

**G-13241
Ord. # 14628
Special Trust
Fund – General
Repairs and
Youth Programs,
Log Cabin Village**

There was presented Mayor and Council Communication No. G-13241 from the City Manager recommending that the City Council adopt Supplemental Appropriation Ordinance No. 14628 increasing the estimated receipts and appropriations in the Special Trust Fund in the amount of \$18,007.64 from available

funds for the purpose of funding repairs and the purchase of educational materials and supplies for the Log Cabin Village. It was the consensus of the City Council that the recommendation be adopted.

**G-13242
Ord. # 14629
Amend Minimum
Building
Standards Code**

There was presented Mayor and Council Communication No. G-13242 from the City Manager recommending that the City Council adopt Ordinance No. 14629 amending the Code of the City of Fort Worth (1986), as amended by the amendment of Chapter 7, "Buildings", Article IV, "Minimum Buildings Standards Code" in part, by adding to Division 2, "Administration", by removing Section 7-78 from Reserve to become "Abatement Cases Under the Building Standards Commission"; by amending Division 4, "Administrative and Civil Penalties", Section 7-101, by adding to (b) and (c); adding to Section 7-103 by adding (b); adding to Section 7-104 (d); adding to Section 7-105 (c); and adding to Section 7-108 (j) "Judicial Review for Proceedings under Section 7-78". Council Member Davis made a motion, seconded by Council Member Moss, that the recommendation be adopted. The motion carried unanimously.

**G-13243
Ord. # 14630
Accept Gift from
Fuller
Foundation to
Fund Operational
Costs for Fuller
Garden**

There was presented Mayor and Council Communication No. G-13243 from the City Manager recommending that the City Council:

1. Accept a gift from the Fuller Foundation, Inc. in the amount of \$82,676.00 for the purpose of maintaining the Fuller Garden for a period of one year; and
2. Adopt Appropriation Ordinance No. 14630 increasing the estimated receipts and appropriations in the Special Trust Fund in the amount of \$82,676.00 from available funds for the purpose of funding one Gardener and Senior Maintenance Worker position at the Fort Worth Botanic Garden.

Council Member Wentworth made a motion, seconded by Council Member Silcox, that the recommendation be adopted, with appreciation. The motion carried unanimously.

**P-9366
Machine Shop
Service and
Fabrication**

There was presented Mayor and Council Communication No. P-9366 from the City Manager recommending that the City Council authorize a purchase agreement for machine shop service and fabrication with Heron Industries, Inc. and Landers Industrial Services, Inc. for the City of Fort Worth based on the bid of hourly

rates and parts with payments due 30 days after receipt of the invoice and authorize the agreement to begin May 22, 2001, and expire May 21, 2002, with two one-year options to renew. It was the consensus of the City Council that the recommendation be adopted.

**P-9367
Stage Curtain
System**

There was presented Mayor and Council Communication No. P-9367 from the City Manager recommending that the City Council authorize the purchase of a stage curtain system from Atlantic Décor for the Roseland Theater based on the low bid of \$15,865.00 with payment due 30 days from receipt of the invoice. It was the consensus of the City Council that the recommendation be adopted.

**P-9368
Contract
Services for
Computer
Equipment
Return Services**

There was presented Mayor and Council Communication No. P-9368 from the City Manager recommending that the City Council authorize a purchase agreement for contract services for computer equipment return services with Dell Financial Services for the Information Technology Solutions Department using the State of Texas Catalogue purchasing procedures for an amount not to exceed \$150,000.00 and authorize this agreement to begin May 22, 2001, and expire May 21, 2002, with options to renew for two successive one-year periods. It was the consensus of the City Council that the recommendation be adopted.

**P-9369
Processing
Supplies for
Library Materials**

There was presented Mayor and Council Communication No. P-9369 from the City Manager recommending that the City Council authorize the purchase of processing supplies for library materials from Brodart Company, Gaylord Brothers, and Demco, Inc. for the Library Department for a cost not to exceed \$28,451.05 based on low bids received with payments due 30 days after receipt of the invoice and freight included in the unit price.

City Secretary Pearson announced that two vendors had submitted identical bids for Item 33 and therefore lots would be drawn to determine who would be awarded the contract. Assistant City Manager Charles Boswell represented Brodart Company and Mr. Robert Combs, Purchasing Manager, represented Demco, Inc. Lot drawing resulted in bid being awarded to Brodart Company.

Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted and the tie bid be awarded to Brodart Company. The motion carried unanimously.

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| L-13048
Permanent
Sanitary Sewer
Easement | There was presented Mayor and Council Communication No. L-13048 from the City Manager recommending that the City Council approve the acceptance of one permanent sanitary sewer easement described as A-1888, Z. D. Davis Survey, Tarrant County, Texas, from Kingsley Creek Venture (DOE 3203) for a cost of \$1.00. It was the consensus of the City Council that the recommendation be adopted. |
| L-13049
Longitudinal
Pipeline
Encroachment
Agreement | There was presented Mayor and Council Communication No. L-13049 from the City Manager recommending that the City Council approve the acquisition of one longitudinal pipeline encroachment agreement between Mileposts 248.50 and 249.90, Baird Subdivision, Fort Worth, Tarrant County, Texas, from Union Pacific Railroad Company for construction of a municipal wastewater pipeline and for existing Sanitary Sewer Mains M-272D and M-134 located within the Union Pacific Railroad Centennial Yard in Southwest Fort Worth (DOE 2572 – Clear Fork Relief Sewer, Part 2), for a one-time acquisition cost of \$168,454.00. It was the consensus of the City Council that the recommendation be adopted. |
| L-13050
Withdrawn | It was the consensus of the City Council that Mayor and Council Communication No. L-13050, Purchase of 0.635 Acres and 1.212 Acres Out of the C. C. Whyte Survey A-1611 from Hopkins Commercial Real Estate, Inc. for the Widening of North Beach Street from Basswood Boulevard to Shiver Road, be withdrawn from the agenda. |
| L-13051
Sale of Tax
Foreclosure
Property | There was presented Mayor and Council Communication No. L-13051 from the City Manager recommending that the City Council approve the sale of various surplus tax foreclosure properties to the Fort Worth Housing Finance Corporation in accordance with Ordinance No. 13533 for a total of \$10,037.63 and authorize the City Manager to execute the appropriate deeds conveying the property to the Fort Worth Housing Finance Corporation, and record the deeds. Council Member Silcox made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried unanimously. |
| L-13052
Lessor Estoppel
Certificate | There was presented Mayor and Council Communication No. L-13052 from the City Manager recommending that the City Council authorize the City Manager to issue an Estoppel Certificate to |

Galaxy Aerospace Company, L.P. and Gulfstream Aerospace LP regarding Leasehold at Alliance Airport. Council Member Lane made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.

**PZ-2294
Approve
Annexation
Timetable for
Annexation of
226 Acres of
Land out of the
Jose Chirino
Survey, Abstract
No. 265**

There was presented Mayor and Council Communication No. PZ-2294 from the City Manager recommending that the City Council approve the annexation timetable in order to annex approximately 226 acres of land out of the Jose Chirino Survey, Abstract No. 265, Tarrant County, Texas, Annexation Case No. A-01-02, in compliance with the requirements of Chapter 43 of the Local Government Code of the State of Texas and direct staff to prepare a service plan that provides for the extension of full municipal services to the annexation area. Council Member Picht made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried unanimously.

**PZ-2295
Ord. # 14631
Public Access
and Utility
Easements
VA-01-023**

There was presented Mayor and Council Communication No. PZ-2295 from the City Manager recommending that the City Council adopt Ordinance No. 14631 vacating and extinguishing a meandering 5-foot utility easement in a portion of Lot 4R5 and 4R2A, and a portion of an 0.117 public access easement and related open space easements, located within a part of Lots 4R5, 4R6 and 4R2A, Block 2, Cityview Addition to the City of Fort Worth, Texas, providing for a reversion of fee in said land. Council Member Silcox made a motion, seconded by Council Member Wentworth, that the recommendation be adopted. The motion carried unanimously.

**C-18593
Barron Risk
Management
Services, Inc.**

There was presented Mayor and Council Communication No. C-18593 from the City Manager recommending that the City Council authorize the execution of a seven-month contract for Workers' Compensation Claims Administration Services with Barron Risk Management Services, Inc., a wholly-owned subsidiary of United Insurance Companies, Inc. for the Risk Management Department for the period of June 1, 2001, through December 31, 2001, with six options to renew for one-year periods. It was the consensus of the City Council that the recommendation be adopted.

**C-18594
Carter &
Burgess, Inc.**

There was presented Mayor and Council Communication No. C-18594 from the City Manager recommending that the City Council authorize the City Manager to execute an engineering services agreement with Carter & Burgess, Inc. to prepare construction and specifications for street improvements to Grove Street (7th Street

to 8th Street) to benefit the Intermodal Transportation Center in Downtown Fort Worth for a lump sum fee of \$56,000.00. It was the consensus of the City Council that the recommendation be adopted.

**C-18595
Change Order
No. 1 – CSC #
26126 - Davila
Construction,
Inc.**

There was presented Mayor and Council Communication No. C-18595 from the City Manager recommending that the City Council authorize the City Manager to execute Change Order No. 1 to City Secretary Contract No. 26126 with Davila Construction, Inc. for construction of the Dry Branch Creek erosion measures, in the amount of \$40,000.00 to provide for increased quantities, thereby increasing the contract amount to \$252,857.32. It was the consensus of the City Council that the recommendation be adopted.

**C-18596
Change Order
No. 3 – CSC #
26064 – Cleburne
Utility
Construction,
Inc.**

There was presented Mayor and Council Communication No. C-18596 from the City Manager recommending that the City Council authorize the City Manager to execute Change Order No. 3 to City Secretary Contract No. 26064 with Cleburne Utility Construction, Inc. for Main C1C4B Drainage Area Sanitary Sewer System Rehabilitation and Improvements (Group 6, Contract 2) Part 9, Units 1 and 2 in the amount of \$44,000.42 to provide for additional pay item quantities, thereby increasing the contract amount to \$581,403.92. It was the consensus of the City Council that the recommendation be adopted.

**C-18597
Ord. # 14632
Gutierrez,
Smouse, Wilmut
& Associates,
Inc.**

There was presented Mayor and Council Communication No. C-18597 from the City Manager recommending that the City Council:

1. Authorize the City Manager to transfer \$70,204.00 from the Water and Sewer Operating Fund to the Sewer Capital Project Fund; and
2. Adopt Appropriation Ordinance No. 14632 increasing the estimated receipts and appropriations in the Sewer Capital Project Fund in the amount of \$70,204.00 from available funds for the purpose of funding an engineering agreement with Gutierrez, Smouse, Wilmut & Associates, Inc. for Sanitary Sewer Rehabilitation, Contract LXIII; and

- 3. Authorize the City Manager to execute an engineering agreement with Gutierrez, Smouse, Wilmut and Associates, Inc. for a lump sum fee of \$67,704.00 to prepare plans and specifications for Sanitary Sewer Rehabilitation, Contract LXIII (63).**

It was the consensus of the City Council that the recommendation be adopted.

**C-18598
Ord. # 14633
Stabile & Winn,
Inc.**

There was presented Mayor and Council Communication No. C-18598 from the City Manager recommending that the City Council:

- 1. Authorize the City Manager to transfer \$402,915.00 from the Water and Sewer Operating Fund to the Sewer Capital Project Fund (\$65,103.00) and the Water Capital Project Fund (\$337,812.00); and**
- 2. Adopt Appropriation Ordinance No. 14633 increasing the estimated receipts and appropriations in the Sewer Capital Project Fund in the amount of \$65,103.00 and in the Water Capital Project Fund in the amount of \$337,812.00 from available funds for the purpose of funding a contract with Stabile & Winn, Inc. for reconstruction of Ashland Avenue and Valentine Street; and**
- 3. Authorize the City Manager to execute a contract with Stabile & Winn, Inc. in the amount of \$1,163,882.06 for the reconstruction of Ashland Avenue (I-30 Frontage Road to Alamo Street) and Valentine Street (Ashland Avenue to I-30 Frontage Road) with new concrete pavement including water and sanitary sewer improvements.**

It was the consensus of the City Council that the recommendation be adopted.

**C-18599
Amendment No.
5 – CSC # 20565
– Freese &
Nichols, Inc.**

There was presented Mayor and Council Communication No. C-18599 from the City Manager recommending that the City Council authorize the City Manager to execute Amendment No. 5 to City Secretary Contract No. 20565 with Freese & Nichols, Inc. for the Integrated Wet Weather Wastewater Management Program, increasing the agreement amount by \$778,759.44 to \$14,577,315.12. It was the consensus of the City Council that the recommendation be adopted.

**C-18600
Fort Worth
Business
Assistance
Center**

There was presented Mayor and Council Communication No. C-18600 from the City Manager recommending that the City Council authorize the City Manager to execute a master lease between the City of Fort Worth and the Fort Worth Business Assistance Center for \$1.00 per year for five years beginning May 23, 2001. Mayor Pro tempore McCloud made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.

**C-18601
Amendment No.
5 – CSC # 24692
– Austin
Commercial, Inc.**

There was presented Mayor and Council Communication No. C-18601 from the City Manager recommending that the City Council approve Amendment No. 5 to City Secretary Contract No. 24692 with Austin Commercial, Inc. for design and construction management services for construction of the Phase II additions to the Fort Worth Convention Center for an additional fee not to exceed \$1,330,000.00. Council Member Davis made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.

Council Member Davis commended Austin Commercial, Inc. for their work on the Convention Center.

**C-18602
Ord. # 14634
Ballou
Construction
Company, Inc.**

There was presented Mayor and Council Communication No. C-18602 from the City Manager recommending that the City Council:

1. Authorize the City Manager to transfer \$193,000.00 from the Water and Sewer Operating Fund to the Water Capital Project Fund in the amount of \$56,000.00, and the Sewer Capital Project Fund in the amount of \$137,000.00; and
2. Adopt Appropriation Ordinance No. 14634 increasing the estimated receipts and appropriations in the Water Capital Project Fund in the amount of \$56,000.00 and in the Sewer Capital Project Fund in the amount of \$137,000.00 from available funds for the purpose of funding a contract with Ballou Construction Company, Inc., for Micro-Surfacing 2001-5 at various locations; and

- 3. Authorize the City Manager to execute a contract with Ballou Construction Company, Inc. in the amount of \$1,341,050.00 for 60 working days for Micro-Surfacing 2001-5.**

Council Member Silcox made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried unanimously.

**C-18603
CityNet
Communications,
Inc.**

There was presented Mayor and Council Communication No. C-18603 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with CityNet Telecommunications, Inc. to allow the installation of a fiber optic network in the City's sanitary and storm drain sewers in the downtown area. Council Member Picht made a motion, seconded by Council Member Wentworth, that the recommendation be adopted. The motion carried unanimously.

**C-18604
Amend CSC #
24642 – Hickman
Investments, Inc.**

There was presented Mayor and Council Communication No. C-18604 from the City Manager recommending that the City Council authorize the City Manager to amend City Secretary Contract No. 24642, a lease agreement with Hickman Investments, Inc. to include property located at 130, 131 and other addresses on East Exchange Avenue, Fort Worth, Texas, for the Fort Worth Herd Program. Council Member Lane made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.

**Public Hearing
Annexation Case
No. A-01-01**

It appeared that the City Council set today as the date for the second public hearing for the annexation of 1835.1 acres of land out of the C. C. Pace Survey, Abstract No. 1245, the Benjamin Thomas Survey, Abstract No. 1497, the W. Thompson Survey, Abstract No. 1559, the G. T. Walters Survey, Abstract No. 1696, the R. Whitley Survey, Abstract No. 1672, the J. N. Reed Survey, Abstract No. 1362, the J. A. Gill Survey, Abstract No. 570, the Thomas Hicks Survey, Abstract No. 1818, the T&PRR Company Survey, Abstract No. 1568, the MEP&PRR Company Survey, Abstract No. 1138, the S.C.T. Ford Survey, Abstract No. 531, and the W. E. Boswell Survey, Abstract No. 1852, Tarrant County, Texas, Annexation Case No. A-01-01. Mayor Barr asked if there was anyone present desiring to be heard.

Mr. John Garfield, representing the Development Department, appeared before the City Council, presented a staff report, and advised Council that staff should be directed to institute annexation proceedings by the preparation of an ordinance to be adopted at the meeting of June 12, 2001.

Dennis Hill

Mr. Dennis Hill, 8408 N. Watertower Road, appeared before Council and stated that a response had not been received relative to the selection of the 1,000 feet to be annexed and added that the residents thought the smaller lot would be a better choice.

Doug Carmin

Mr. Doug Carmin, 9300 Park Drive, appeared before Council in opposition of the annexation and stated that the developer planned to extend Boat Club Road. He added that there was a pasture to one side of the proposed annexation area and residents to the other side and asked if there had been some consideration made to annex the undeveloped land in the area.

Mr. Garfield replied that the 1,000 feet strip was selected to establish a connection to the Chapel Hill project and that the City had considered other alternatives, but the additional time needed to fully explore those alternatives would preclude moving forward with this current annexation timetable. He added that if the alternatives proved to be more beneficial once they were fully examined, the 1,000 feet could be disannexed at that time.

Mayor Barr asked City Manager Jackson to have staff prepare an overview of the proposed annexation for Council review. Mr. Jackson stated that a briefing would be provided Council prior to the June 12, 2001 Council Meeting.

There being no one else present desiring to be heard in connection with the second public hearing for the annexation of 1835.1 acres of land out of the C. C. Pace Survey, Abstract No. 1245, the Benjamin Thomas Survey, Abstract No. 1497, the W. Thompson Survey, Abstract No. 1559, the G. T. Walters Survey, Abstract No. 1696, the R. Whitley Survey, Abstract No. 1672, the J. N. Reed Survey, Abstract No. 1362, the J. A. Gill Survey, Abstract No. 570, the Thomas Hicks Survey, Abstract No. 1818, the T&PRR Company Survey, Abstract No. 1568, the MEP&PRR Company

Survey, Abstract No. 1138, the S.C.T. Ford Survey, Abstract No. 531, and the W. E. Boswell Survey, Abstract No. 1852, Tarrant County, Texas, Council Member Wentworth made a motion, seconded by Mayor Pro tempore McCloud, that the second public hearing be closed and that staff be directed to institute annexation proceedings. The motion carried unanimously.

**Citizen
Presentations**

Council Member Davis announced that it was Mayor Barr's birthday and everyone in Council Chamber expressed their congratulations with applause.

Council Member Lane stated that Monday was Memorial Day and asked everyone to get out and attend one of the many events being held to commemorate the men and women who serve in our country's military.

**Executive
Session**

It was the consensus of the City Council that they recess into Executive Session at 11:02 a.m. to:

1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules:
 - a) City of Fort Worth v. Infinity Outdoor, Inc., City of Fort Worth, the Fort Worth Independent School District, and Tarrant County, Texas; Cause No. 2000-004459-2;
 - b) William L. Jacobs vs. City of Fort Worth and Fort Worth Zoological Association; Cause No. 67-184762-00;
 - c) City of Dallas and City of Fort Worth vs. Bear Creek DFW Associates, Ltd.; LaSalle Bank, National Association; Deutsche Mortgage and Assets Receiving Corporation; Midland Loan Services, Inc.; Cause No. 01-0849-1; and
 - d) Legal issues concerning any City Council agenda item;

as authorized by Section 551.071 of the Texas Government Code;
and

- 2. Discuss the purchase, exchange, lease, or value of real property in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party.**

Reconvened The City Council reconvened into regular session at 11:36 a.m.

Adjournment There being no further business, the meeting was adjourned at 11:36 a.m.